

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ADRIAN JUAN LLOYD,  
Plaintiff,  
v.  
M. GENSEAL, et al.,  
Defendants.

Case No.: 1:24-cv-01117-KES-SKO

**ORDER VACATING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION FOR PLAINTIFF'S FAILURE TO  
OBEY COURT ORDER AND FAILURE TO  
PROSECUTE**

(Doc. 10)

**ORDER GRANTING 15-DAY EXTENSION  
OF TIME WITHIN WHICH TO RESPOND  
TO THE ORDER TO SHOW CAUSE**

Plaintiff Adrian Juan Lloyd is appearing pro se in this civil rights action pursuant to 42 U.S.C. section 1983.

**I. BACKGROUND**

Plaintiff initiated this action by filing a complaint on September 19, 2024. (Doc. 1.) On September 30, 2024, the Court directed Plaintiff to submit an application to proceed *in forma pauperis* (IFP) or to pay the filing fee within 45 days. (Doc. 3.) On October 10, 2024, Plaintiff submitted an IFP application. (Doc. 5.)

On October 15, 2024, this Court issued an "Order to Show Cause (OSC) in Writing Why Application to Proceed In Forma Pauperis Should Not Be Denied." (Doc. 8.) Plaintiff was directed to explain fourteen JPAY entries and six SALES entries appearing on his Inmate

1 Statement Report, or to pay the \$405 filing fee for this action, within 30 days. (*Id.* at 3.)

2 On November 25, 2024, when more than 30 days elapsed without a response to the OSC,  
3 the Court issued its “Findings and Recommendations to Dismiss Action for Plaintiff’s Failure to  
4 Obey Court Order and Failure to Prosecute.” (Doc. 10.) Later that same date, Plaintiff filed a  
5 document titled “In Re Order to Show Cause.” (Doc. 11.)

6 The Court will vacate the Findings and Recommendations issued November 25, 2024, and  
7 direct Plaintiff to respond to the inquiries outlined in the OSC within 15 days.

## 8 **II. DISCUSSION**

9 In his filing of November 25, 2024,<sup>1</sup> Plaintiff states he received the OSC on October 22,  
10 2024. (Doc. 11.) He states he has “thoroughly read said order” and “humbly requests that the  
11 Court grant Plaintiff another 30 days extension of time.” (*Id.*)

12 Plaintiff fails to establish good cause for a 30-day extension of time. He offers no reason  
13 for needing an additional 30 days to respond to the Court’s inquiries regarding his Inmate  
14 Statement Report. The Court will nonetheless grant Plaintiff an additional 15 days within which  
15 to respond to the OSC. No further extensions of time will be granted absent a showing of good  
16 cause.

## 17 **III. CONCLUSION AND ORDER**

18 Based on the foregoing, **IT IS HEREBY ORDERED** that:

- 19 1. The Findings and Recommendations issued November 25, 2024 (Doc. 10) are  
20 **VACATED**; and
- 21 2. Plaintiff **SHALL** respond to the OSC, explaining the fourteen JPAY entries and six  
22 SALES entries appearing on his Inmate Statement Report, or alternatively, pay the  
23 required \$405 filing fee, **within 15 days** of the date of service of this order.

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25 <sup>1</sup> Plaintiff’s filing is dated November 19, 2024. It is untimely because Plaintiff was ordered to respond to  
26 the OSC “**within 30 days of the date of service**” of the order. (*See* Doc. 10 at 3; bold in original, italics  
27 added.) Thus, the document should have been served no later than November 14, 2024. Plaintiff is  
28 reminded that “[a]bsent good cause, all Court deadlines are strictly enforced. Requests for time extensions  
must be filed before the deadline expires and must state good reason for the request.” (*See* Doc. 2 at 5  
[First Informational Order in Prisoner/Civil Detainee Civil Rights Case issued 9/20/2024].)

IT IS SO ORDERED.

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE